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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-eighth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by International Education Development, Inc.
a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[25 July 1996]

The humanitarian situation in Iraq

1. International Educational Development/Humanitarian Law Project (IED/HLP) has been concerned for six years about the humanitarian situation in Iraq as a result of the embargo imposed on that country following the Gulf war. We have voiced our concerns with other non-governmental organizations in a major initiative led by our delegate, Mrs. Margarita Papandreou, 1/ at the 1995

1/ Mrs. Papandreou, the former First Lady of Greece, is Global Coordinator of Women for Mutual Security and is a founding member of the International Commission of Inquiry on Economic Sanctions, organizations with which we have a close association.

session of the Commission on Human Rights and through a number of joint statements. In our view, subjecting essential humanitarian aid such as food, medical supplies and other subsistence needs to embargo violates existing international legal standards.

2. We have been pleased that the Sub-Commission has also raised similar concerns, most recently in its decision 1995/107 (Humanitarian situation in Iraq). For this reason, we wish to provide to the Sub-Commission the full text of a resolution passed in Rome at an international conference chaired by Mrs. Papandreou and attended by members of the International Commission of Inquiry on Economic Sanctions, Women for Mutual Security and other non-governmental organizations.

RESOLUTION

"The Hunger Weapon International Conference held in Rome on the 10th and 11th of May 1996, with the participation of jurists, humanitarian organizations, human rights activists as well as representatives of peace associations and international solidarity groups, political parties and labour unions from Italy, France, Spain, Great Britain, Germany, Greece, the United States, Nicaragua, Cuba, Libya, Tunisia, Ireland, Algeria and Iraq:

Considering

(1) the serious sufferings of the civil population of Iraq caused by unprecedented sanctions imposed in the name of the United Nations against that country and which have in fact, among other things, resulted in the deaths of well over 500,000 children, as has been certified by agencies of the same United Nations;

(2) the serious consequences on the Cuban economy and people caused by the unilateral United States economic blockade which has been imposed for over 30 years and which has resulted in enormous difficulties to the economic and human development of that entire nation;

(3) that gratuitously imposed sanctions against Libya are causing much suffering and problems in particular to the poorest part of the population.

Noting

(1) the tendency of the United States, Great Britain and others from among the wealthy and powerful countries to increasingly make use of the Security Council and its economic sanctions, or the threat of using them as a tool form advancing United States hegemonistic interests against those of the developing and formerly colonized countries of the world;

(2) that these sanctions are also used as a means of strengthening the United States hegemony among other industrialized countries;

(3) that economic sanctions directly punish the civil population and particularly harm the poorest and weakest;

(4) that blockades, a modern version of the Middle Ages sieges, should be seen as a tool of war, totally inconsistent with the aims of the United Nations;

(5) that although the Security Council authorized the Secretary-General to implement Security Council resolution 986, the United States and Great Britain are interfering in the on-going talks between Iraq and the United Nations concerning the sale of Iraqi oil for the purchase of food, medicines and other supplies needed for humanitarian purposes;

Believing

that economic sanctions, regardless of the alleged motivation behind them, can in fact constitute a serious violation of the Fourth Geneva Convention (civilians), the Protocols Additional to the Geneva Conventions and other treaty-based and customary humanitarian law principles; the Convention on the Rights of the Child; the right to life; or, as in the case of Iraq, can constitute genocide, a crime against humanity as recognized in international law with clear consequences;

Calls for

(1) the immediate removal of Security Council sanctions against Iraq and Libya;

(2) the immediate removal of the United States blockage against Cuba;

(3) the ban of the use of sanctions as a means of intervening in international disputes:

Appeals

to peoples, individuals, organizations, and international peace and solidarity associations to mobilize toward this aim:

Condemns

United States interference in the negotiations between Iraq and the United Nations Secretary-General in the implementation of Security Council resolution 986:

Resolves

(1) to declare January 17, 1997 as the "Second World Day of Struggle Against Civil Embargoes" and to continue the mobilization started last year on that date in several countries;

(2) to publicize and distribute this conference's resolution in all countries represented in the conference;

(3) to support initiatives contesting the application of sanctions using available legal procedures;

(4) to address United Nations Member States to support a General Assembly resolution requesting the International Court of Justice for an Advisory Opinion regarding the legality of Security Council sanctions on Iraq."

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Written statement submitted by the International Association for World Peace, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[17 July 1996]

1. The human rights situation in Tibet has been repeatedly discussed in previous sessions of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Despite the adoption of resolution 1991/10 by the Sub-Commission at its forty-third session and many other international resolutions including recent resolutions adopted by the German Bundestag, the Liechtenstein Landtag and the European Parliament, the situation remains tragic in Tibet. The International Association of Educators for World Peace, therefore, wishes to draw the attention of the Sub-Commission to recent developments in Tibet which clearly show that the Chinese authorities are bent on committing violations of human rights, irrespective of international opinion. Furthermore, China's policies in Tibet show that Beijing is violating not only its own Constitution but also the United Nations treaties to which it is a party.

2. The most conspicuous change in Chinese policy towards Tibet was laid out in July 1994. From 20 to 23 July, that year, the Third Work Forum on Tibet was held in Beijing, attended by 190 top Communist Party and government officials, and representatives of provinces, autonomous regions, prefectures, cities and municipalities. As a result of this Forum, new restrictive policies were put into place in Tibet.

3. One clear indication of these new restrictions has been the effort to curtail religious activity in Tibet. The Chinese authorities have limited the number of youths joining monasteries and nunneries, prohibited Communist Party members from practising religion and strengthened government control over monasteries through "democratic management committees." Beijing has also vowed to close monasteries they judge to be problematic and to imprison "separatist" monks and nuns.

4. The issue of utmost concern to Tibetans has been the change in China's attitude towards His Holiness the Dalai Lama. In the past, Chinese propaganda denied that the Dalai Lama had any say in the political affairs of the Tibetan people, but refrained from questioning his spiritual authority. These days, China has not only hardened its rhetoric about the Dalai Lama but has actively sought to undermine and discredit his religious authority in Tibet, much like the situation during the Cultural Revolution.

5. Chinese President Jiang Zemin made plain the intentions of the Chinese authorities when he told the Third Work Forum on Tibet: "The difference between us and the dalai clique [a reference to the Tibetan Government in Exile] is not a question of believing in a religion or not believing in a religion nor a question of self-government or not self-government, but a question of safeguarding the unification of the motherland and opposing splittism." Overnight, expressions of religious worship became a political crime and any show of respect and obeisance to the Dalai Lama resulted in persecution. Instructions to attack the Dalai Lama in person were printed in "Golden Bridge to a New Era", the official handbook of the Third Work Forum on Tibet published in October 1994.

6. In April 1996, China publicly announced the ban on the display of photographs of the Dalai Lama and since that time authorities have begun sweeps of monasteries, nunneries, schools, businesses and even private homes to rid these places of all images of the Tibetan leader. On 6 May, when Chinese officials arrived at Gaden Monastery, located near Lhasa, monks there protested the edict and fighting broke out. Reports indicate that three monks were shot and wounded by police and that at least one official was also beaten. In total, as many as 90 monks from the monastery may have been arrested following the above incident. A second incident reportedly occurred on 14 May, when two truckloads of seriously injured people, including monks and nuns, were taken to hospitals in Lhasa as a result of being beaten, presumably while protesting the new restrictions.

7. China's abduction of the Panchen Lama (Gedhun Choekyi Nyima), the second most senior religious figure in the Tibetan Buddhist tradition, and the appointment of a pretender Panchen Lama is another indication of the intensification of repression in Tibet and a bold move against religious freedom. For the past 15 months, the Chinese authorities have failed to

declare publicly the whereabouts of seven-year old Gedhun Choekyi Nyima. The first confirmation that the Chinese authorities are holding this Tibetan child came via a statement by the Chinese Ambassador in Geneva to the Committee on the Rights of the Child in June 1996. In that statement, the Chinese authorities said that the child was under their custody, claiming that "his parents requested the Government to ensure the protection of the boy". China's intervention in the matter of the Panchen Lama is a serious and blatant violation of the Tibetan people's freedom of religion.

8. Another indication of the deteriorating human rights conditions in Tibet is the increase in the number of political prisoners. Today, there are more than 700 documented Tibetan political prisoners in different parts of Tibet. This does not include several hundred more prisoners whose names it was not possible to ascertain. In 1995 more than 200 Tibetans were identified as having been arrested for political reasons. There have been more than 50 arrests so far in 1996, including a novice monk aged 13. Our organization has been very concerned about the detention of a young Tibetan musician, Ngawang Choephel, in August 1995. Ngawang, who was brought up in exile in India, was detained in central Tibet while documenting the Tibetan performing arts tradition. To this day, the Chinese authorities have not publicly acknowledged Ngawang's detention, let alone provide information about his whereabouts or well-being.

9. Following the policy of liberalization in the 1980s, China permitted Tibetan parents to send their children to schools run by Tibetans in exile in India where they are assured of a wholesome Tibetan education. Tibetan schools in exile provide students with a curriculum of modern education combined with traditional Tibetan subjects, a curriculum which is not provided in Chinese-operated schools in Tibet. However, in 1994, this policy changed when Chinese officials started scrutinizing members of the Communist Party in Tibet who have sent their children to study in schools run by the Tibetans in exile.

10. In September 1994, the Chinese authorities issued an edict ordering all Communist Party members to recall their children from Tibetans schools in India or face the consequences. Subsequently, many children returned to Tibet, deprived of their chance for a proper Tibetan education.

11. On 7 June 1996, the Committee on the Rights of Child, in its "principal subjects of concern" on China's initial report declared: "The Committee shares the concern expressed by the State party as regards the number of children in China who still do not attend school. It is also concerned about reports that schools attendance in minority areas, including the Tibet Autonomous Region is lagging behind, that quality of education is inferior and that insufficient efforts have been made to develop a bilingual education system which would include adequate teaching in China. These shortcomings may make Tibetans and other minority pupils disadvantaged when applying for entry to secondary and higher level schools."

12. The greatest concern of the Tibetan people continues to be the ongoing tremendous influx of Chinese settlers into Tibet in the past few years. Many of the settlers come to Tibet as a result of economic and other incentives provided to them by the Chinese Government. In addition, the prospect of

economic opportunity is luring Chinese entrepreneurs to Tibet's towns and cities. As a result of this influx, the number and influence of the Chinese in Tibet is marginalizing the Tibetan people politically, economically and culturally.

13. The United States State department's 1995 Country Report on Human Rights Practices acknowledged that there has been a massive influx of Chinese into Tibet. "In recent years, freer movement of people throughout China, government-sponsored development, and the prospect of economic opportunity in Tibet have led to a substantial increase in the non-Tibetan population (including China's Muslim Hui minority as well as Han Chinese) in Lhasa and other urban areas", the report said.

14. On 21 May this year, Chinese authorities warned in an editorial in the official Tibet Daily that they planned a new "strike hard" anti-crime campaign to "relentlessly pursue" political dissidents and supporters of the Dalai Lama. On 25 May, the Tibet Daily reported that the session of the regional People's Congress in Lhasa had concluded: "Everyone in the region must understand clearly that the struggle against the Dalai Lama group is a long-term, bitter, complex, 'you die - I live' political battle with no possibility of compromise."

15. Considering these grave realities, our organization urges the Sub-Commission to pay serious attention to the deplorable human rights situation in Tibet, particularly when this unfortunate tragedy has been going on for more than three decades. The Sub-Commission could play an important role in the promotion and protection of human rights in Tibet by taking a firm stand against China's current policies in Tibet.